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9 *Attorneys for Defendant, American Airlines, Inc.*

10 **UNITED STATES DISTRICT COURT**
 11 **FOR THE DISTRICT OF ARIZONA**

12
 13 Sean Bennett, an individual,) Case No. 2:23-cv-02425-ROS--DMF
 14 Plaintiff,)
 15 vs.) **STIPULATED MOTION TO
 16 PARTIALLY AMEND THE CASE
 MANAGEMENT SCHEDULING
 ORDER**
 17 City of Phoenix, a governmental entity;)
 18 American Airlines, Inc., a foreign) Honorable Judge: Roslyn O. Silver
 corporation; Officer Joel Cottrell and Jane) Magistrate Judge: Deborah M. Fine
 19 Doe Cottrell, a married couple; Officer)
 20 Benjamin Denham and Jane Doe)
 21 Denham, a married couple; Officer Todd)
 22 Blanc and Jane Doe Blanc, a married)
 couple; Officer Peru and Jane Doe Peru, a)
 23 married couple; Sergeant Hogan and Jane)
 Doe Hogan, a married couple;)
 24 Defendant(s).)
 25 _____)

26 Plaintiff Sean Bennett and Defendant American Airlines, collectively “the
 27 Parties”, by and through their counsel of record, hereby stipulate and jointly move
 28 for an order partially amending the case management scheduling order in this action

1 on the grounds the Parties have experienced unavoidable delays in obtaining
 2 essential fact discovery and require additional time for these purposes.

3 On August 12, 2024, the Court entered the scheduling order setting: February
 4 28, 2025, as the deadline to complete fact discovery; March 28, 2025, as the date for
 5 Plaintiff's expert disclosures; April 18, 2025, as the date for Defendant's expert
 6 disclosures; and June 6, 2025, as the deadline to complete expert discovery. (Dkt.
 7 No. 28.)

8 Defendant served discovery requests on October 11, 2024, and Plaintiff's
 9 responses were due November 12, 2024. Due to Plaintiff's counsel's trial and
 10 motion calendar, Defendant granted Plaintiff's requests for extensions to respond to
 11 Defendant's discovery. Plaintiff served his responses on December 24, 2024, but the
 12 Parties have encountered a dispute over the sufficiency of Plaintiff's responses.
 13 Defense counsel is currently meeting and conferring with Plaintiff's counsel in an
 14 effort to resolve the discovery issue without the need for this Court's intervention.

15 The fact discovery cutoff is only 62 days away. Additional time is needed for
 16 the Parties to be able to resolve their discovery dispute regarding Plaintiff's
 17 responses to interrogatories and, if necessary, seek this Court's assistance in this
 18 regard. Additional time is also needed for Defendant to propound any additional
 19 requests once the discovery issue is resolved, as well as subpoena third-party records
 20 including from out-of-state custodians, depose Plaintiff, subpoena and depose third-
 21 party percipient witnesses, and propound any supplemental requests warranted
 22 before the fact discovery cutoff.

23 This is the Parties' first request for an extension. This request is not made for
 24 the purpose of delaying the case, and neither party will be prejudiced by modifying
 25 the scheduling order. The requested extension relates only to the fact and expert
 26 discovery deadlines, and all other dates in the scheduling order shall remain
 27 unchanged.

The Parties agree that good cause exists to amend the current scheduling order and respectfully propose the following modifications:

	CURRENT DATE	PROPOSED NEW DATE
Fact Discovery Cutoff	February 28, 2025	April 28, 2025
Plaintiff's Expert Disclosures	March 28, 2025	May 19, 2025
Defendant's Expert Disclosures	April 18, 2025	June 9, 2025
Rebuttal Expert Disclosures	May 9, 2025	June 30, 2025
Expert Discovery Cutoff	June 6, 2025	July 27, 2025

Respectfully submitted,

Dated: January 8, 2025

MILLS + WOODS LAW, PLLC

By: /s/ Sean A. Woods (with permission)
Robert T. Mills, Esq.
Sean A. Woods, Esq.
Attorneys for Plaintiff, Sean Bennett

Dated: January 8, 2025

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP

By: /s/ Taylor Allin
Patrick J. Kearns, Esq.
Taylor Allin, Esq.
Sarena L. Kustic, Esq.
*Attorneys for Defendant, American
Airlines, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that this document was filed and served this 8th day of January 2025, using this Court's CM/ECF filing system which will electronically transmit a copy to all counsel of record.

Dated: January 8, 2025

**WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER, LLP**

By: /s/ Taylor Allin
Patrick J. Kearns, Esq.
Taylor Allin, Esq.
Sarena L. Kustic, Esq.
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Airlines, Inc.*